

S.D.N.Y.-N.Y.C.  
18-cv-2921  
18-cv-5025  
Furman, J.

# MANDATE

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 31<sup>st</sup> day of July, two thousand nineteen.

Present:

John M. Walker, Jr.,  
Raymond J. Lohier, Jr.,  
*Circuit Judges,*  
William H. Pauley III,\*  
*District Judge.*

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: Jul 31 2019

In Re: United States Department of Commerce, Wilbur L. Ross,  
in his official capacity as Secretary of Commerce, United States  
Census Bureau, an agency within the United States Department  
of Commerce, Steven Dillingham, in his capacity as the Director  
of the U.S. Census Bureau,

18-2856

18-2857

*Petitioners.*<sup>†</sup>

In light of the Supreme Court's decision in *Department of Commerce v. New York*, 139 S. Ct. 2551, 2574 (2019), our prior order of October 9, 2018 regarding the District Court's authorization of extra-record discovery is hereby VACATED. The Clerk is directed to issue the mandate forthwith.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe

Catherine O'Hagan Wolfe

\* Judge William H. Pauley III, of the United States District Court for the Southern District of New York, sitting by designation.

<sup>†</sup> Pursuant to Federal Rule of Appellate Procedure 43(c)(2), Census Bureau Director Steven Dillingham is automatically substituted for former Acting Director of the U.S. Census Bureau Ron S. Jarmin. The Clerk of Court is directed to amend the caption accordingly.

MANDATE ISSUED ON 07/31/2019